



STATE OF ALABAMA

APPLICATION TO REGISTER TRADEMARK, SERVICE MARK OR TRADE NAME IN ALABAMA

1. Applicant:		2. The Applicant is: [in State of _____ (for corporation, partnership, llc or llp)] () unincorporated () non-profit () corporation () limited liability company () partnership () individual () sole proprietor () limited liability partnership () other _____	
Street Address, City and County:		State:	Telephone:
		ZIP:	()
3. If Partnership, list names and addresses of partners:		4. Description in Writing of Mark as you want it registered:	
5. Description of Goods, Services or Business in connection with which the mark is used:		6. Mode or Manner in which the Mark is used in connection with the goods, services or business:	
		7. Classification: (one only)	8. This is a: <input type="checkbox"/> Trademark <input type="checkbox"/> Trade Name <input type="checkbox"/> Service mark
9. Disclaimer (if applicable). See instructions.		10. Consent (if applicable). See instructions. Give name and address of owner of existing mark and attach hereto letter of consent:	
11a. Date first used anywhere and location: _____ in _____		11b. Date first used in Alabama: _____	
12. Attached hereto are three (3) specimens or facsimiles of the Mark in use. 13. Attached hereto is the filing fee of thirty dollars payable to the Secretary of State. 14. I believe I am the owner of the Mark, a member of the firm or an officer of the corporation or association applying and no other person has the right to use such Trademark, Service Mark or Trade Name in Alabama, except as provided for in item 10 above, either in the identical form thereof or in such near resemblance thereto as might be calculated to deceive or to be mistaken therefor, § 8-12-8(a) (4), Code of Alabama, 1975 , as amended.			
Name and Title _____		Signature _____	
COUNTY OF _____		STATE OF _____	
I, _____, being first duly sworn, depose and say that I am the applicant herein, or a member of the firm or an officer of the corporation or association applying, that I have the authority to make this affidavit and verification and that I have read the above foregoing application and know the contents thereof, and that the facts set out therein are true. I further depose and say that the three specimens or facsimiles filed herewith are true and correct.			
Signature _____			
Subscribed and sworn to before me this, _____ day of _____, _____.			
My Commission expires: _____		Notary Public's Signature _____	



STATE OF ALABAMA

INSTRUCTIONS TO REGISTER
TRADEMARK, SERVICE MARK, OR
TRADE NAME IN ALABAMA

REGISTRATION

In Alabama, registration of trademarks, service marks, or trade names (hereinafter referred to as “marks”) is not mandated by state law. However, registration procedures are available through the Secretary of State’s office, if you choose to register such marks. Rights of ownership of a particular mark are achieved through the common laws of adoption and usage, *not registration*, and a mark **must have been used** in this state before you may attempt to register such mark.

Registration of marks is a complex matter and there are numerous reasons an application for registration may be rejected. While this office will conduct searches and provide information to you regarding your request for a mark, a negative finding on such a search of any particular mark does not ensure registration. Also, rejection/denial of your application by this office **does not prevent you from using that mark**. Should your application be rejected/denied for failure to meet requirements of registration, you are entitled to continue to use your mark if you so choose. **HOWEVER, IT IS YOUR PERSONAL RESPONSIBILITY TO ENSURE THAT YOUR MARK DOES NOT INFRINGE ON ANY OTHER INDIVIDUAL/BUSINESS MARK AND/OR THAT THE MARK IS NOT BEING USED IN A FRAUDULENT MANNER.**

APPLICATION

In order for the Secretary of State’s office to process your Application for Registration of your mark, you must do the following:

- (1) Complete all questions on the application form with the exception of items #3, #9, and #10, which may not apply to you. Failure to answer all other questions could result in rejection/denial of your application.
- (2) Provide this office with three (3) specimens (see below) of your mark as it is currently being utilized.
- (3) Submit a thirty dollar (\$30.00) filing fee at the time of your filing.
- (4) If you have been granted a Federal Registration, include a copy with your application.

NOTE: In Alabama *any individual can file applications for registration; however, because of the complexity of laws pertaining to trademarks, this office recommends that you seek the advice of (a) specifically trained and/or licensed professional(s) prior to submitting your application.*

SPECIMENS

Specimens perform the function of verifying usage of a mark and are an important part of the registration process. Before submitting your application for registration along with your specimens, you should inspect your samples for clarity. All specimens submitted must be clear and clean. To ensure acceptance of a specimen, copy the specimen for color value. Specimens of a metallic substance (i.e., candy wrappers, metal identification plates, etc.), will not reproduce. Certain colors will not reproduce (i.e., red lettering on dark colored backgrounds). If you can make a clear copy of the specimen, then generally it is accepted. Along with your specimens, you are encouraged to enclose a black and white PMT (camera ready artwork). You can obtain camera ready artwork from most local print shops, i.e., Kinko’s, Kwik Kopy, or any other local printer that has a camera.

If you have questions, please contact:

Office of Secretary of State
Lands and Trademarks Division
P. O. Box 5616
Montgomery, AL 36103-5616
(334) 242-5325

INTERNATIONAL SCHEDULE OF CLASSES OF GOODS AND SERVICES		
GOODS: TRADEMARKS	GOODS: TRADEMARKS (CONT'D)	
1 Chemicals used in industry, science, photography, as well as in agriculture, horticulture, and forestry; unprocessed artificial resins; unprocessed plastics, manures; fire extinguishing compositions; tempering and soldering preparations; chemical substances for preserving foodstuffs; tanning substances; adhesives used in industry	27 Carpets, rugs, mats, and matting; linoleum and other materials for covering existing floors; wall hangings (non-textile)	
2 Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colorants; mordants, raw natural resins; metals in foil and powder form for painters, decorators, printers and artists	28 Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees	
3 Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices	29 Meats, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables, jellies, jams; eggs, milk and milk products; edible oils and fats; salad dressings; preserves	
4 Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles, wicks	30 Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour, and preparations made from cereals, bread, pastry and confectionery, ices; honey, treacle, yeast, baking powder; salt, mustard, vinegar, sauces, (except salad dressings) spices; ice	
5 Pharmaceutical, veterinary, and sanitary preparations; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings, material for stopping teeth, dental wax, disinfectants; preparations for destroying vermin, fungicides, herbicides	31 Agricultural, horticultural and forestry products and grains not included in other classes; living animals; fresh fruits and vegetables; seeds, natural plants and flowers; foodstuffs for animals, malt	
6 Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; nonelectric cables and wires of common metal; ironmongery; small items of metal hardware; pipes and tubes of metal; safes; goods of common metal not included in other classes; ores	32 Beers; mineral and aerated waters and other nonalcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages	
7 Machines and machine tools; motors (except for land vehicles); machine coupling and belting (except for land vehicles); agricultural implements; incubators for eggs	33 Alcoholic beverages (except beers)	
8 Hand tools and implements (hand operated); cutlery; side arms; razors	34 Tobacco; smokers' articles; matches	
9 Scientific, nautical, surveying, electric, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), lifesaving and teaching apparatus and instruments; apparatus for recording transmission or reproduction of sound or images, magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; fire-extinguishing apparatus	SERVICE MARKS	
10 Surgical, medical, dental, and veterinary apparatus and instruments, artificial limbs, eyes and teeth; orthopedic articles, suture materials	35 Advertising and business	
11 Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply, and sanitary purposes	36 Insurance and financial	
12 Vehicles; apparatus for locomotion by land, air or water	37 Construction and repair	
13 Firearms; ammunition and projectiles; explosives; fireworks	38 Communication	
14 Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewelry, precious stones, horological and other chronometric instruments	39 Transportation and storage	
15 Musical instruments	40 Material treatment	
16 Paper and cardboard and goods made from these materials, not included in other classes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included on other classes); playing cards; printers' type; printing blocks	41 Education and entertainment	
17 Rubber, gutta-percha, gum, asbestos, mica and goods made from these materials and not included in other classes; plastics in extruded form for use in manufacturing; packaging, stopping and insulating materials; flexible pipes, not of metal	42 Miscellaneous; hotels, restaurants, child care, trade associations	
18 Leather and imitations of leather, and goods made from these materials and not included in other classes; animal skins, hides, trunks and traveling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery	BUSINESS: TRADE NAMES	
19 Building materials (nonmetallic); nonmetallic rigid pipes for building; asphalt, pitch and bitumen; nonmetallic transportable buildings; monuments, not of metal	43 Agriculture, forestry, fisheries	
20 Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics	44 Mining	
21 Household or kitchen utensils and containers (not of precious metal or coated therewith); combs and sponges, brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steel-wool; unworked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware, not included in other classes	45 Construction	
22 Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks; and bags (not included in other classes); padding and stuffing materials (except of rubber or plastics); raw fibrous textile materials	46 Manufacturing, nondurable goods	
23 Yarns and threads, for textile use	47 Manufacturing, durable goods	
24 Textile and textile goods, not included in other classes; bed and table covers	48 Transportation, communication and other public utilities	
25 Clothing, footwear, headgear	49 Wholesale trade, nondurable goods	
26 Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers	50 Wholesale trade, durable goods	
	51 Retail trade - lumber and building materials, hardware, nurseries and garden stores, mobile home dealers	
	52 Retail trade, department, variety miscellaneous general merchandise, grocery, dairy products, retail bakery and food stores;	
	53 Retail trade - motor vehicle dealers, auto and home supply stores, gasoline service stations, miscellaneous vehicle dealers	
	54 Retail trade - apparel, accessory and shoe stores	
	55 Retail trade - furniture, home furnishings, household appliances, T.V. and radio stores	
	56 Retail trade - eating and drinking places, drug stores, liquor stores	
	57 Retail trade - sporting goods, bicycles and hobby stores	
	58 Retail trade - book, stationary, jewelry, sewing, needlework and piece-goods stores	
	59 Retail trade - mail order house, vending machine operators and direct selling establishments, fuel and ice dealers and retail florists	
	60 Retail trade - miscellaneous; sales, barns and pet shops	
	61 Finance, insurance, real estate	
	62 Business and repair services	
	63 Personal services	
	64 Entertainment and recreation services; pageants, sports promoting	
	65 Professional and related services; physicians trade associations and education	
	66 Public administration	
	67 Miscellaneous	